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Attorneys for Plaintiff ALEXANDER RUSSO

**UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ALEXANDER RUSSO, an individual,

Plaintiff,

vs.

FEDERAL MEDICAL SERVICES, INC.,
a Texas Corporation; BEN FITZGERALD
REAL ESTATE SERVICES, LLC, a Texas
Corporation; JIM SLATTERY, an
Individual; ABIGAIL WOULFE, an
Individual; JERRY TATE, an Individual,
and DOES 1-25, inclusive

Defendants.

Case No. 5:24-cv-00748-PCP

*Assigned for all purposes to the Honorable
P. Casey Pitts Dept. 6*

**PLAINTIFF'S RESPONSE TO
DEFENDANT'S 12B6 MOTION**

Filed: Oct. 9, 2023
Trial Date: Not Set

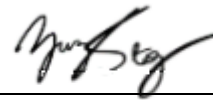
TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiff has filed a Second Amended Complaint in response to Defendant's 12(b)(6) motion to dismiss Federal Medical Services Inc. and Jim Slattery from this action. Defendant's motion is now moot.

1 Plaintiffs second amended complaint is filed under docket number 27.

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3 Dated: March 26, 2024

GOLDBERG & LOREN, P.A.

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6 By: 
7 Zachary Stoltz, Esq.
8 Attorney for Plaintiff
9 ALEXANDER RUSSO
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CERTIFICATE OF SERVICE

[C.C.P. §§ 1011 and 1013, C.R.C. § 2008]

I declare that I am employed in the City and County of Los Angeles, California. I am over the age of eighteen years and not a party to this action. My business address is The Law Offices of Goldberg & Loren, P.A., 11755 Wilshire Boulevard, Suite 1250, Los Angeles, CA 90025.

I served the following document entitled: **PLAINTIFF'S RESPONSE TO DEFENDANT'S 12B6 MOTION** on the interested parties in this action, as follows:

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☐ [By First Class Mail] I am readily familiar with my employer's practice for collecting and processing documents for mailing with the United States Postal Service. On the date listed herein, following ordinary business practice, I served the within document(s) at my place of business, by placing a true copy thereof, enclosed in a sealed envelope, with postage thereon fully prepaid, for collection and mailing with the United States Postal Service where it would be deposited with the United States Postal Service that same day in the ordinary course of business.

☐ [By Overnight Courier] I caused each envelope to be delivered by a commercial carrier service for overnight delivery to the offices of the addressee(s).

☐ [By Hand] I directed each envelope to the party(ies) so designated on the service list to be delivered by courier this date.

☒ [By Electronic Transmission] I caused said document to be sent by electronic transmission to the e-mail address indicated for the party(ies) listed above. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 26, 2024, at San Francisco, California.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct. Executed on March 26, 2024, at Los Angeles, California.


Zachary Stoltz